

REMARKS

In the Office Action¹, the Examiner rejected claims 1-3, 5-12, 14-19, 21-23, and 25-29 under 35 U.S.C. § 112, first paragraph; and rejected claims 1-3, 5-12, 14-19, 21-23, and 25-29 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,249,281 to Chen et al. ("*Chen*") in view of U.S. Patent Application Publication No. 2002/0022962 to Richardson ("*Richardson*").

Applicants have amended claims 1, 10, and 21. Claims 1-3, 5-12, 14-19, 21-23, and 25-29 remain pending.

Regarding the rejection of claims 1-3, 5-12, 14-19, 21-23, and 25-29 under 35 U.S.C. § 112, first paragraph, the Examiner states that the Specification does not support "the following limitation, 'the publication period indicating a period during which said presentation materials are stored in the presentation material publishing server.'"(Office Action at page 2).

While Applicants disagree with the Examiner's rejection, Applicants have amended claim 1 to recite "the publication period indicating a period during which said presentation materials are available for downloading from the presentation material publishing server." Applicants submit that the Specification enables this limitation (See, for example, page 25, line 18 - page 26, line 3). Claims 10 and 21 have been similarly amended.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3, 5-12, 14-19, 21-23, and 25-29 under 35 U.S.C. § 112, first paragraph.

Applicants respectfully traverse the rejection of claims 1-3, 5-12, 14-19, 21-23, and 25-29 under 35 U.S.C. § 103(a). The prior art cited by the Examiner, *Chen* and *Richardson*, does not teach or suggest each and every element of claims 1-3, 5-12, 14-19, 21-23, and 25-29. A *prima facie* case of obviousness has, therefore, not been established.

Claim 1 recites presentation material publishing system comprising:

- a presenter;
- a reader;
- a presentation material publishing server for storing public information and presentation materials and permitting access to said public information, wherein said public information contains at least a publication period of said presentation materials, the publication period indicating a period during which said presentation materials are available for downloading from the presentation material publishing server; and
- membership registration means . . .

...

(emphasis added). *Chen* discloses one or more presentation servers 110 that communicate with one or more clients 130-135 (col. 2, lines 44-46). “[A] searchable database is maintained on the presentation server(s) 110” (col. 5, lines 22-24). The Examiner states that *Chen* “does not specifically teach a ‘publication period’ representing the period by which the presentation materials are active for downloading by the reader” (Office Action at page 6). The Examiner cites *Richardson* to disclose the claimed elements. Applicants respectfully disagree.

Richardson discloses a “memorial site [that] may be deactivated after the predetermined time period in the absence of payment” (Paragraph 0025). “The software that supports or controls the memorial site preferably includes instructions that cause the memorial site to become deactivated (e.g., no longer viewable on-line) after a predetermined period of time” (Paragraph 0075). The system in *Richardson* allows a user to “view the memorial site, preferably by first going to the funeral home’s web site, then activating a hyperlink to move to the memorial site portion of the funeral home’s web site or a web site that is linked to the funeral home’s web site” (Paragraph 0075).

The memorial site allows a user to view a posting on the site’s web page for a predetermined period of time based on user payment (Paragraph 0074). The viewing in *Richardson* does not constitute the claimed “downloading.” *Richardson* does not teach or suggest “downloading.” On the contrary, *Richardson* only discloses viewing a posting on a web site. Therefore, *Richardson* does not teach or suggest the claimed combination of elements, including, for example, a “publication period indicating a period during which said presentation materials are available for downloading from the presentation material publishing server,” as recited in claim 1.

Accordingly, *Chen* and *Richardson* fail to establish a *prima facie* case of obviousness with respect to claim 1, at least because the references fail to teach each and every element of the claim. Claims 2, 3, and 5-9 depend from claim 1 and are thus also allowable over *Chen* in view of *Richardson*, for at least the same reasons as claim 1.

Independent claims 10 and 21 and dependent claims 11, 12, 14-19, 22, 23, and 25-29, while of different scope, recite limitations similar to those of claim 1 and are thus

allowable over *Chen* in view of *Richardson* for at least the same reasons discussed above in regard to claim 1.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: December 20, 2006

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